

RESPONSE

Remarks

Claims 1-9, 11-13, 19, 21-24 and 34 are pending in the Application. Claims 1 and 34 are in independent format.

Applicant now responds to the Examiner's assertions. The Applicant traverses all the Examiner's assertions. The Applicant may respond to only certain assertions by the Examiner, but the Applicant intends to traverse all the Examiner's assertions.

Note the Examiner

The Applicant's attorney makes the following comments, very respectfully. They need to be said on the record.

The Applicant, Mr. Brown is currently in the process of requesting an in person meeting with the Examiner, his Supervisor, the Director of the Art Unit and the Assistant Commissioner for Patents for a face-to-face meeting in-person meeting at the USPTO in the same room to bring achieve some kind of agreement and end the prosecution of this application.

From the Applicant's attorney's point of view, the Examiner appears to have a bruised ego from which he cannot be recover based on the Applicant, Mr. Brown's behavior. The Applicant's attorney understands this, but submits to the Examiner that he should consider a spirit of compromise. Mr. Brown was simply doing what he

had a right to do. Protect his patent rights. Applicant do what Applicant's do sometimes.

The Examiner had his preverbal "wrists slapped" when the Applicant, Mr. Brown called the Examiner's Art Unit Director and Supervisor. Then the Examiner's Art Unit Director pulled his Appeal Brief back from the Appeal's Board because the Examiner stopped mid-sentence and filed an incomplete appeal brief reply.

The Examiner's Supervisor admitted to the Applicant's attorney that she was new and inexperienced and should have reviewed the Examiner's work more closely. The Examiner himself admitted to the Applicant's attorney that his work product was bad from the beginning on this matter.

Remember that the Examiner started this chain of office actions by stating that nothing associated with domain names could be patented and "*all claims in the applicants application are rejected on the ground that they infringe on U.S. laws set forth by Congress. The U.S. department of commerce, working under the authority of Congress, is under contract with ICANN for the domain name registration system so that they may have no jurisdiction over patents related to domain names.*" A statement that was not even remotely true as there were hundreds of published applications and issued patents relating to domain names. Very respectfully, the Examiner started this case based on a mis-understanding of inventions related to domain names not being patentable and has not budged from that position.

From the Applicant's attorney's point of view again the Examiner did not keep his word during the last round of Office Actions and severely misled and gave the Applicant clearly false expectations. The Examiner indicated to Mr. Brown several times a Notice of Allowance would be soon be issued. And none ever was. The Examiner should have been more honest with Mr. Brown based on the realities of U.S. patent law.

The Examiner also indicated to the Applicant's attorney that he would call him and negotiate amendments before issuing another Office Action. The Examiner did not do so. The last call the Examiner made to the Applicant's attorney was he was talking to his Supervisor about allowing the case. The Examiner then just issued a Final Office Action without further explanation or further calls to the Applicant's attorney citing the essentially the same prior art he cited in the first office action package differently without giving the Applicant's attorney a chance to negotiate amendments to the claims, which he clearly indicated several times he was willing to do.

The Examiner and his Supervisor seems to forget that there is a client at the other of this application. The Examiner has prevented the Applicant from legitimately profiting from his invention by delaying the issuance of a patent from the Applicant's application for over 9 years.

However, in the spirit of compromise, the Applicant's attorney's suggests the Examiner put his ego aside and actually deal with the merits of this case to try and

advance it to allowance. If the Examiner treats the application fairly, he should legitimately be able to negotiate a set of allowable claims. In a large part because, 9 years later, there is no system anywhere the Applicant's knows about that includes the Applicant's claimed invention. If the invention was so obvious, someone would have implemented it already.

From this point forward the Applicant's attorney is responding to the Examiner's Final Office Action for the record. The language is blunt in places, but the Applicant's attorney submits the Examiner is so ingrained his position, he will not listen to any reasonable argument. The Applicant's attorney just needs to say what he needs to say.

Claim Objections

Claims 19, 21-24 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claim Objections Response

Applicant now responds to the Examiner's assertions. The Applicant traverses all the Examiner's assertions. The Applicant may respond to only certain assertions by the Examiner, but the Applicant intends to traverse all the Examiner's assertions.

The typing mistake in claim 19 has corrected. Therefore claims 19 and 21-24 are in proper dependent format.

Claim 2 is clearly in proper dependent format. The Applicant's has issued dependent claims with exactly the same claim language hundreds of times in issued patents. However, the Applicant has amended Claim 2 based on the Examiner suggestions and it is now clearly in proper dependent format.

Section 112, 2nd Paragraph Rejection

The Examiner asserts, "Claim 34 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention...However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function. Pages 11-36 have been reviewed but the written description fails to disclose the corresponding structure, material, or acts for the claimed function."

"Claims 1-13, 19-24 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention."

Section 112, 2nd Paragraph Response

Applicant now responds to the Examiner's assertions. The Applicant traverses all the Examiner's assertions. The Applicant may respond to only certain assertions by the Examiner, but the Applicant intends to traverse **all** the Examiner's assertions.

The Applicant has corrected the typing mistakes in Claims 1, 12, 13 and 34. This claim are now definite and the Section 112, 2nd paragraph rejection must be immediately withdrawn.

The Applicant is perplexed as to how the Examiner could have possibly have read pages 11-36 and reviewed the Figures and not determined any corresponding structure, material, or acts for the claimed function. This clearly a set of non-sensical assertions. How did the Examiner know enough about the Applicant's invention then to even formulate any rejections?

The Applicant traverses the requirement imposed by the Examiner of "Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function."

However, the Applicant responds as follows with cites from the Applicant's published application **US 2002/0010795A1** to the material structure, material and acts the Examiner missed on pages 11-36 for Claim 32:

(FIG. 1, 2) means for receiving a request on a permanent domain name system 26 server (20, 22, 24) with one or more processors para. [0040]-[0042] from a client network device (FIG. 1 and 3, 12, 14, 16) para. [0035] with one or more processors para. [0040]-[0042] via a computer network 18 para. [0035] for a permanent renewal of an existing domain name registration 56 (FIG. 4) para. [0043]-[0067] wherein the existing domain name registration 56 includes a domain name and associated information para. [0054] collected during a domain name registration process on a public domain name registrar 28;

means for sending a response from the permanent domain name server(20, 22, 24) to the client network device (FIGS. 1-4, 12, 14, 16) to request a one-time permanent registration fee; para. [0056]-[0060].

means for receiving the one-time permanent registration fee payment para. [0056]-[0060] for the existing domain name registration on the permanent domain

name system 26 server (20, 22, 24) from the client network device via the communications network 18; (FIGS. 1, 2, 3) para. [0035], [0058]-[0062]

means for creating a permanent registration electronic record para. [0063]

Table 1, for the existing domain name registration 56 in a computer readable medium para. [0040] – [0042] on the permanent domain name system 26 server (FIGS. 1 and 4 20, 22, 24) , wherein creating the permanent registration electronic record automatically triggers the permanent domain name system 26 server (FIGS. 1 and 4 20, 22, 24) to automatically determine and verify all current renewal fee payments due for the existing domain name registration (FIGS 1-4) para. [0044]-[0100] at the public domain name registrar 28, automatically triggers using a first portion para. [0058]-[0062] of the one-time permanent registration fee payment to automatically pay all current renewal fee payments for the existing domain name registration, and automatically triggers the permanent domain name system 26 server(FIGS. 1 and 4 20, 22, 24) to automatically determine and verify all future renewal fee payments due for the existing domain name registration at the public domain name registrar 28 and automatically triggers using a second portion of the one-time permanent registration fee payment to pay all future renewal fee payments for the existing domain name registration; (FIGS. 1-5, para.[0045]-[0100])

means for adding the second portion of the one-time permanent registration fee payment to a financial instrument wherein the second portion of the one-time permanent registration fee payment accumulates financial profits or interest from the financial instrument and is used to pay all future renewal fee payments for the existing domain name registration via the permanent domain name system server; (FIGS. 1-5, para. [0045]-[0100])

means for issuing an electronic permanent registration certificate para. [0064]-[0066] for the existing domain name registration 56 in the computer readable medium [0040] – [0042] on the permanent domain name system 26 server (20, 22, 24) using the created permanent registration electronic record para. [0063] Table 1; and

means for providing access to the issued electronic permanent registration certificate para. [0064]-[0066] from the permanent domain name system 26 server(20, 22, 24) to the client network device (12, 14, 16) via the computer network 18.

First Section 103 Rejection

Examiner asserts, "Claims 1-3, 9, 12-13, 19, 23-24 (method), and 34 (system) are rejected under 35 U.S.C. 103(a) as being unpatentable over BURSTEIN et al in view of Domain Name Registration.com, KORITZINSKY et al and MARITZEN et al."

First Section 103 Response

The Applicant traverses this rejection and its associated assertions. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

First of all the Examiner is applying old outdated case law for an obviousness rejection. The Examiner whines and complains the Applicant did not understand and not apply the correct case law in paragraph 15 of the Office Action. Astonishingly, the same Examiner then applies the Graham case from 1966 to try an assert an obviousness rejection instead of *KSR International Co. v. Teleflex Inc. (KSR)* decided by the U.S. Supreme Court in 2007 which is the current standard for obviousness.

The MPEP clearly states in Section 2141 the Examiner "must provide an appropriate supporting rational in view of the recent decision by the Supreme Court in *KSR*." The Examiner is clearly has not done so.

Since the Examiner is not applying the current relevant case law in clear violation the U.S. Patent Rules and U.S. Patent Law, the Applicant need not respond

any further. The Examiner is urged to study the current case law and re-read the MPEP to familiarize himself with current patent rules.

However, the Applicant will respond based on the holding of KSR.

The Examiner is reminded that the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc. (KSR)*, 550 U.S.____, 82 USPQ2d 1385, 1395-97 (2007) stated rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

INDEPENDENT CLAIMS 1 and 34:

The Applicant submits the Examiner clearly has not supported a legal conclusion of obviousness under the holding of *KSR International Co.* The Applicant responds as follows. Independent claim 34 has similar elements to that of independent Claim 1.

1. The Claimed Invention was unpredictable, includes unexpected results and was not obvious to try.

The claimed invention was unpredictable and includes unexpected results that could not be expected nor predicted from the cited prior art, either alone or in combination. The cited prior art does not teach, suggest, or even mention trading interfaces, including but not limited to, those currently listed in amended claim 1.

Even though the Examiner has clearly applied the wrong obvious standard, the Examiner still has to combine 4 references to try can maintain an obviousness

rejection. And remember, this is the same Examiner, who in his first office action against this same Applicant had no idea at all what a domain name was at all and asserted that no patents could be issued including anything relating to domain names asserting the following nonsensical statement *"all claims in the applicants application are rejected on the ground that they infringe on U.S. laws set forth by Congress. The U.S. department of commerce, working under the authority of Congress, is under contract with ICANN for the domain name registration system so that they may have no jurisdiction over patents related to domain names"* even though at that time there were hundreds of published applications and issued patents that disclosed and protected inventions relating to domain names.

The Applicant's invention could not be predicted from the cited prior art. Why? The Applicant's claimed invention allows a user who has registered a domain name with a public domain name registrar to pay a one time fee and have the domain name permanently renewed. A first portion of the one-time fee is used to pay current domain name renewal charges and a second portion of the one time fee is invested in a financial instrument and used to pay all future renewal fees. The Applicant's application was filed in 2001. There is no system anywhere in the world described the Applicant's invention in 2001. There is still not system anywhere in the world, that the Applicant can find in 2010, nine years later either.

The Examiner now uses Burnstein as a primary reference. However, Burnstein, does not teach suggest or even mention that a one time fee is paid to

permanently renew a domain name registration. In fact Burnstein teaches the contrary. Burnstein explicitly teaches " Once a registrant has registered a domain name, paid the associated fees and met certain conditions, the individual or organization holds the domain name for use for a specific period of time." (Col. 2, lines 40-45).

Q Also the Examiner's own words, Burnstein teaches the claim element of the Applicant's invention only *inherently* including creating an electronic permanent registration certificate with a simple electronic payment receipt, which is of course not true. The Examiner tries to pass an electronic payment receipt for registering a domain name for an electronic permanent domain name registration certificate Nonsense. The two are not even remotely related. The Examiner goes on to further admit Burnstein does not *explicitly* teach payment of a one time fee to pay for all current and future renewals of the domain name either.

By the Examiner's own admission Burnstein does not explicitly teach accepting a one-time payment for permanently renewing a domain name. If one time payment is not accepted by Burnstein for permanently renewing a domain name, an electronic permanent domain name registration certificate for the domain name cannot be inherently issued either as the Examiner asserts. His logic is clearly circular and inconsistent.

The Examiner then tries to assert that the reference Registration.com accepts a one time registration fee for permanently registering a domain name and combines

this with Burnstein. This is clearly not true. A user is charged a fee based on initial registration request and then must be fees for each year the domain name is being registered. If a fee is not paid for a year, the domain name will expire. Register.com still does not provide permanent renewal for any domain name. The Examiner then tries to combine the Kortinsky reference with the other two. However, the Kortinsky reference does not teach, suggest or even mention domain names, period. The Applicant has pointed this out many times to the Examiner over hundreds of pages, yet the Examiner ignores all the Applicant arguments. The Examiner again repeats his lame arguments that a software license for medical imaging software is the same as the Applicant's permanent registration system for domain names. Again nonsense. The Applicant has explained several times in previous that nothing in Kortinsky, including software licenses could be used to predict ANY feature of the Applicant's invention because Kortinsky was filed and issue before any domain name system was operational. Yet the Examiner keeps ignoring all of the Applicant's comments and re-citing the same lame, irrelevant reference.

The Examiner then adds Martizen to the mix. Martizen, also does not teach, suggest or even mention domain names. Martizen simply teaches an e-commerce system that accepts fees. So what. The combination is still not remotely close to the Applicant's claimed invention. None of the assertions made the Examiner have even any relevance to the claimed invention.

The Applicant's invention is unexpected and could not be predicted from the combination of cited prior art. If the Applicant's invention is so obvious and could be predicted, why does no organization, not one worldwide the Examiner can find in the year 2010, a full nine (9) years after the Applicant filed the present application still NOT provide the same service as the Applicant's claimed invention.

None of the cited prior art in combination, could not be used to predict the claimed invention with its unexpected results. The claimed invention was not obvious to try. Therefore it is clearly not obvious under *KSR*.

2. Not All Claim Limitations Were Considered by the Examiner

The claimed invention, includes claim limitations not taught or suggested or even mentioned, by the prior art including, but not limited at least steps (a) through (g) of Claim 1.

The Examiner is reminded that to establish a case of *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. The Examiner has not considered all the claim elements. *In re Royka* 400 F.2d 981 (CCPA 1974). Further, the Examiner is reminded that all words in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970).

The Examiner has not considered all words in the claims drafted by the Applicant. The Examiner has admitted that the claimed invention does not explicitly teach the Applicant's claim elements including: the type of fee payment in

step (b), i.e. "a one-time permanent registration fee" payment and subsequent feature of "permanent registration certificate" on step (c) and wherein creating the permanent registration includes automatically determining and verifying all current renewal fee payments due for the existing domain name registration at the public domain name registrar and using a first portion of the one-time permanent registration fee payment to pay all current renewal fee payments and automatically determining and verifying all future renewal fee payments due for the existing domain name registration at the public domain name registrar and using a second portion of the one-time permanent registration fee payment to pay all future renewal fee payments."

The Examiner has also **admitted** that Burnstein does teaches yet another claim element, not explicitly, but only inherently, namely, the electronic permanent registration certificate.

The Examiner is reminded that "The inherent teaching of a prior art reference, is a question of fact." *In re Napier*, 55 F.3d 610, 613, 34 USPQ2d 1782, 1784 (Fed. Cir. 1995)" and that "In relying upon the theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter.1990)" and that

The Examiner is also reminded that "When a reference is silent about the asserted inherent characteristic, such gap in the reference may be filled with recourse

to extrinsic evidence. Such evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.” *Continental Can Co. USA v. Monsanto Co.*, 948 F.2d 1264, 1268, 20 USPQ2d 1746, 1749 (Fed. Cir. 1991).

No one skilled in any art would equate a generic receipt with an electronic permanent registration certificate as claimed by the Applicant. If the Examiner, feels differently he is requested to provide extrinsic evidence with a basis of fact and technical reasoning immediately to the Applicant. The Examiner clearly has not do so in this matter.

The Examiner has clearly not complied with meeting the burden to describe any inherent feature at all and has clearly violated the holdings of *In re Napier*, *Ex parte Levy*, and *Continental Can Co.*

The combination of the prior art references clearly do not teach or suggest all of the claim limitations. Therefore, the combination of the references is not obvious under the holdings of *In re Royka* and *In re Wilson* either.

3. There is no Suggestion or Motivation to Modify the References

The Examiner is reminded that the mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art. *KSR International Co.* 1396.

The Examiner is also reminded that a statement that modifications of the prior art to meet the claimed invention is not sufficient to establish a *prima facie* case of

obviousness without some objective reason to combine the teachings of the references.

Ex parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993).

The Examiner is also reminded that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. This is a guard against using hindsight in an obviousness analysis. *In re Kahn*, 441 F.3d 977, 986, 78 USPQ2d 1329, 1335 (Fed. Cir. 2006).

The Examiner is also reminded if the proposed modification or combination of the prior art would change the principal operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. *In re Ratti* 270 F.2d 810 (COPA 1959).

As was described above, the Applicant's invention is clearly not predictable and provides unexpected results. Therefore, the fact that the Examiner can, in his mind only, combine the four cited references is irrelevant. Therefore the Applicant's claimed invention is clearly not obvious under the holding of *KSR*.

There is no objective reason at all to combine the teachings of the references. Each of the references teaches a very specific invention and there combination clearly does not teach suggest, or contemplate the Applicant's claimed invention. Therefore the claimed invention is not obvious under the holding of *Ex parte Levengood*.

There is no teaching, suggestion, or motivation to combine the bizarre unrelated prior art to obtain the Applicant's claimed invention. This is a guard against using hindsight in an obviousness analysis as the Examiner is clearly doing. The Examiner is reminded that the Applicant's application was filed in 2001. There is still no working system, other than the Applicant's, available anywhere in the world, that the Applicant know about, that provides a permanent renewal of a domain name. The Examiner is reminded that he asserted and didn't even know domain names could be patented as was asserted in his first office action. The Examiner's comments clearly violate the holding of *In re Kahn*.

The proposed combination changes at least one of the principle operations of Burnstein and Regsiter.com namely, trying to accept a one time payment for permanently renewing a domain name and using a portion of the one time payment for investing in a financial instrument to pay future fees when no such mechanism previously existed or exists today, and one of the principle operations of Kortinsky and Maritzen as neither teach, suggest or even mention domain names. Kortinsky is teaches managing medical imaging software and Martizen teaches a generic e-commerce system.

Therefore, the claimed invention is not obvious under the holding of *In re Ratti* either.

Even if these references could be combined into some sort of working system, the combination of the references still do not teach or suggest all of the

claimed limitations of the claimed invention. Therefore, the combination of the cited prior art still does not render the claimed invention obvious.

4. There Is No Reasonable Expectation of Success for Combining the References.

The Examiner is reminded that evidence supporting no reasonable expectation of success of combining two or more references supports a conclusion of nonobviousness; *In re Reinhart*, 531 F.2d 1048 (CCPA 1976).

All of the cited references have significantly different interfaces and underlying architectures. There would be no reasonable expectation of success of combining the references into at all. By the Examiner's own admissions, some of the claim elements are not explicitly taught and some are only allegedly inherently taught. The alleged inherent elements, since they are not even explicitly defined, could not provide a reasonable expectation of success for a combination. Even if these references could be combined technically, and they clearly cannot, the combination of the references still do not teach or suggest all of the claimed limitations of the claimed invention. Therefore, the claimed invention is not obvious based on the holdings of *In re Reinhart*.

5. The Combination of the Prior Art Teaches away from the Claimed Invention.

The Examiner is reminded that a *prima facie* case of obviousness may also be rebutted by showing that the art, in any material respect, teaches away from the

claimed invention. *In re Geisler*, 116 F.3d 1465, 1471, 43 USPQ2d 1362, 1366 (Fed. Cir. 1997).

Burnstein explicitly teaches " Once a registrant has registered a domain name, paid the associated fees and met certain conditions, the individual or organization holds the domain name for use for a specific period of time." (Col. 2, lines 40-45).

Koritzinsky teaches "an Imaging system protocol handling method and apparatus" (Title) and "A technique is disclosed for providing programs, such as operational protocols, to medical diagnostic institutions and systems. The protocols are created and stored on machine readable media. A description of the protocols is displayed at the diagnostic institution or system. A user may select a desired protocol or program from a user interface, such as a listing of protocols. The protocol listing may include textual and exemplary image descriptions of the protocols. Selected protocols are transferred from the machine readable media to the diagnostic institution or system. The transfer may take place over a network link, and may be subject to fee arrangements, subscription status verifications, and so forth. Protocols may be loaded for execution on system scanners by selection from the same or a similar protocol listing screen." (Abstract). Thus, Koritzinsky primarily teaches handling protocols of medical imaging services. Koritzinsky does not teach, suggest or even mention domain names or domain name registrations anywhere, period. This clearly teaches away from the claim invention in several material aspects because features.

If the Examiner had been able to assert a *prima facie* case of obviousness, which the Examiner clearly has not, it has been rebutted. Therefore, the claimed invention is not obvious under the holding of *In re Geisler* either.

6. Conclusion for Independent Claims 1 and 34:

Thus, the claimed invention is not predictable and includes unexpected results not expected or predicted from the prior art to satisfy the non-obviousness requirements under the holding of *KSR International Co.* and all the other case cited above.

Therefore the Applicant requests the Examiner withdraw the Section 103 rejection and immediately pass all the rejected claims to allowance.

Dependent Claims:

The arguments for the independent claims discussed above are incorporated by reference. All of the independent claims are non-obvious over the cited prior art. All of the dependent claims add additional features not present in the independent claims. The Examiner is reminded that if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending there from is non-obvious *In re Fine* 837 F.2d 1071 (Fed. Cir. 1988).

Therefore the Applicant requests the Examiner withdraw the Section 103 rejection and immediately pass all the rejected claims to allowance.

CONCLUSION FOR THE FIRST 103 Rejection:

None of the cited prior art in combination could not be used to predict the claimed invention with its new, novel non-obvious and unexpected results. The claimed invention was not obvious to try. Therefore claim invention is clearly not obvious under *KSR* and the First Section 103 Rejection must be immediately withdrawn.

Second 103 Rejection

Examiner asserts, "Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over BURSTEIN ET AL /Domain Name Registration.com/ KORITZINSKY et al /MARITZEN et al as applied to claims 1-3, 9, 12-13. above, and further in view of MANN et al and CUMMINGS et al."

Second 103 Response

The Applicant traverses this rejection and its associated assertions. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

All of the independent claims are clearly non-obvious over the cited prior art. Claims 4 and 5 are dependent claims that add additional features not present in the independent claims. The Examiner is reminded that if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending there from is non-obvious *In re Fine* 837 F.2d 1071 (Fed. Cir. 1988).

Therefore the Applicant requests the Examiner withdraw this Section 103 rejection and immediately pass all the rejected claims to allowance.

Third 103 Rejection

Examiner asserts, "Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over BURSTEIN ET AL /Domain Name Registration.com / KORITZINSKY et al /MARITZEN et al as applied to claims 1-3, 9, 12-13, above, and further in view of MAPLES ET AL."

Third 103 Response

The Applicant traverses this rejection and its associated assertions. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

All of the independent claims are clearly non-obvious over the cited prior art. Claim 6 is a dependent claim that add additional features not present in the independent claims. The Examiner is reminded that if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending there from is non-obvious *In re Fine* 837 F.2d 1071 (Fed. Cir. 1988).

Therefore the Applicant requests the Examiner withdraw this Section 103 rejection and immediately pass all the rejected claims to allowance.

Fourth 103 Rejection

Examiner asserts, "Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over BURSTEIN ET AL /Domain Name Registration.com / KORITZINSKY et al /MARITZEN et al as applied to claims 1-3. 9, 12-13, above, and further in view of ELLIOTT."

Fourth 103 Response

The Applicant traverses this rejection and its associated assertions. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

All of the independent claims are clearly non-obvious over the cited prior art. Claims 7-8 are dependent claims that add additional features not present in the independent claims. The Examiner is reminded that if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending there from is non-obvious *In re Fine* 837 F.2d 1071 (Fed. Cir. 1988).

Therefore the Applicant requests the Examiner withdraw this Section 103 rejection and immediately pass all the rejected claims to allowance.

Fifth 103 Rejection

Examiner asserts, "Claims 10-11 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over BURSTEIN ET AL /Dornain Name Registration.com / KORITZINSKY /MARITZEN et al et al as applied to claims 1-3, 9, 12-13, and 19 above, and further in view of Perpetual Bond Article (Dictionary of Finance and Investment Terms, 1998, "PERPETUAL BOND" definition", page 445)."

Fifth 103 Response

The Applicant traverses this rejection and its associated assertions. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

All of the independent claims are clearly non-obvious over the cited prior art. Claims 10-11 and 21-22 are dependent claims that add additional features not present in the independent claims. The Examiner is reminded that if an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending there from is non-obvious *In re Fine* 837 F.2d 1071 (Fed. Cir. 1988).

Therefore the Applicant requests the Examiner withdraw this Section 103 rejection and immediately pass all the rejected claims to allowance.

Paragraphs 15-22

The Applicant traverses all the assertions in these paragraphs. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

The Examiner's assertions are without any legal merit whatsoever. The Applicant again traverses all the ridiculous assertions made by the Examiner that the Applicant admitted the claimed invention in the Background Section of the Applicant's application.

Principles of Laws Section

The Applicant traverses all the assertions in these paragraphs. The Applicant may respond only to specific assertions by the Examiner but intends to traverse all rejections and assertions made by the Examiner.

The Applicant need not claim a computer. The Applicant's attorney has hundreds of issued patent claiming a network device with one or more processors. Such a device is clearly a programmable machine.

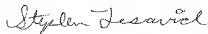
CONCLUSION

None prior art made of record in the Office Action but not relied upon by the Examiner is no more pertinent to Applicant's invention than the cited references for the reasons given above. The Applicant therefore submits that all of the claims in their present form are immediately allowable and requests the Examiner withdraw all of the rejections of all the claims and pass all of the pending claims into allowance.

Respectfully submitted,

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Date: **August 23, 2010**



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